

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 550 - SB 943

March 5, 2013

SUMMARY OF BILL: Deletes the authority of local governments to have open burning laws more stringent than state law.

ESTIMATED FISCAL IMPACT:

Decrease Local Revenue - \$25,000/Recurring/Hamilton County

Other Fiscal Impact – Of the four counties impacted by this bill, one or more may experience a recurring decrease in expenditures to administer and enforce an alternative open burning law. Other counties may experience a recurring increase in expenditures. Such expenditure impacts are dependent upon unknown factors. Therefore, any net change to local government expenditures cannot be quantified.

Assumption:

- The provisions of the bill will not impact state revenue or expenditures.
- Local government jurisdictions that exceed the federal ambient air standards for pollutants are authorized by the Environmental Protection Agency (EPA) to propose their own measures for attaining desired air quality goals. Any plan is subject to approval by the state and the EPA. One of the measures chosen is to have open burning regulations that are more stringent than state open burning laws.
- There are only four counties in Tennessee that exceed the federal ambient air standards that also utilize open burning laws more stringent than state law. These four counties are Davidson, Knox, Hamilton, and Shelby.
- These four named counties will be required to change their current open burning laws as a result of this bill.
- Only one of these counties (Hamilton) is known to charge a fee for a burn permit. Because the local open burning laws cannot be more stringent than the state law, it is assumed that a local government charging burn permit fees will no longer be able to do so under this bill. According to their County Air Pollution Control Board, burn permits represent an average of approximately \$25,000 in annual revenue to the county. Therefore, a recurring decrease in local government revenue of \$25,000 for Hamilton County.

- Depending on the alternative measures chosen to achieve EPA standards, there could be a decrease in administrative and enforcement expenditures for one or more local government entities, and there could be an increase in administrative and enforcement expenditures for the other local government entities. Such impacts are dependent upon the extent of alternative measures chosen and utilized; therefore, any net fiscal impact for local government expenditures cannot be reasonably quantified.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise".

Lucian D. Geise, Executive Director

/cce